

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**PAULA KADIM**

**Plaintiff,**

**v.**

**ADELPHIA**

**CIGNA GROUP INSURANCE  
And its affiliate Company LIFE  
INSURANCE OF NORTH AMERICA**

**Defendants**

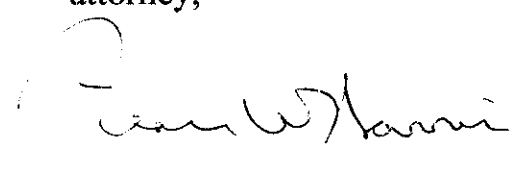
**Civil Action No. 04 CV 12383**

RECEIVED  
Clerk's Office  
U.S. District Court  
Date 11/24/04  
By H.S.  
Deputy Clerk

**MOTION TO DISMISS WITHOUT PREJUDICE COUNT II AND  
IV OF PLAINTIFF'S ACTION AGAINST DEFENDANT ADELPHIA**

As mentioned in the STATEMENT attached to this motion, and incorporated herein by reference, Plaintiff states that such counts sound only under Massachusetts law and even if the U.S. District assumes jurisdiction of the remainder of the case, it is not within the jurisdiction of the U.S. District Court to decide Count II and IV.

Respectfully submitted by her  
attorney,

  
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Gloucester, Mass. 01930  
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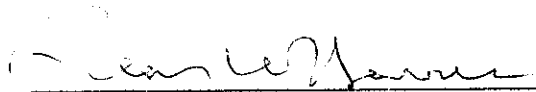
Note

Hand delivered  
to Court

Nov 26, 04

CERTIFICATE OF SERVICE

I, Dean W. Harrison, hereby certify that I have served a copy of the foregoing on the defendant by mailing a copy, by first class mail, postage prepaid, to the address of her attorney of record, this 26, day of November, 2004.

  
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Dean W. Harrison